

APPENDIX B

PROPOSAL FORMS

1. 1A Statement of Interest and Acceptance of Communication Guidelines
- 1B Communication Guidelines
2. Proposal Transmittal Letter
3. General Proposer Information, Background, Experience and References
4. Detailed Project Experience
 - 4A MSW Processing Operations
 - 4B Source Separated Recyclable Materials Processing Operations
 - 4C Yard Trimmings and Wood Waste Processing and Marketing
 - 4D Materials Marketing
 - 4E Long-Haul Transport
5. Structure of Project Team
6. Resumes
7. Financial Statements
8. List of Personnel and Subcontractors
9. Proposal Security Bond
10. Description of Health and Safety Program/Hazardous Materials Procedures
11. List of Equipment (Rolling Stock) to be Furnished by Proposer
12. Annual Operating Cost
 - 12A SMaRT Station Existing MSW Processing Equipment
 - 12B SMaRT Station New MSW Processing Equipment
13. Basic Annual Payment and Tipping Fee for Excess Tonnage
14. Materials Recovery and Marketing Plan
15. 15A Organics Marketing Plan
- 15B Organics Processing Costs
16. Anti-Collusion Affidavit
17. Pending Litigation
18. Exceptions to Proposed Agreement
19. Identification of Surety
20. Clean Air Fuels Plan
21. Maintenance Plan

Proposal Form 1A
STATEMENT OF INTEREST
AND
ACCEPTANCE OF COMMUNICATION GUIDELINES
(to be submitted to the City at or prior to the mandatory pre-proposal conference)

I am writing to state that *[Name of Proposer]* has an interest in responding to the Request for Proposals for operation of the Sunnyvale Materials Recovery and Transfer Station dated _____ 2006, and to certify that *[Name of Proposer]*, its owners, partners, employees, agents, sub-contractors, suppliers, consultants, advisors, and other direct or indirect representatives agree to comply with the attached Communication Guidelines (Proposal Form 1b.) *[Name of Proposer]* acknowledges that proposers who do not comply with the Communications Guidelines will be disqualified and cannot be selected to enter into the Operating Agreement with the City.

The person signing this statement on behalf of *[Name of Proposer]* is authorized to do so.

Sincerely,

[Name of Proposer]

By: _____

Name:

Title:

Date: _____

Note: The signature must be acknowledged before a Notary Public and the notarial seal attached.

Proposal Form 1B
COMMUNICATION GUIDELINES

In order ensure a fair and orderly process, Council has adopted the following communications guidelines to be adhered to during this RFP process.

Proposers shall:

- Submit a statement of interest in the RFP;
- Sign a statement agreeing to the communication guidelines;
- Attend a mandatory pre-proposal meeting and facility tour (per Section 1.3.1);
- Direct all questions and communications regarding the RFP in writing to one designated City representative (per section 1.3.2);
- Be prohibited from distribution of door-to-door materials, and newspaper, radio, television and public space advertisements in regards to this RFP process;
- Be prohibited from meeting individually with the Mayor or any individual Councilmember during the RFP process.

Proposers who do not comply with the communications guidelines will be disqualified and cannot be selected to enter into the Operating Agreement with the City.

The Mayor and Council members shall:

- Notify the City Manager of any potential conflicts of interest
- Include another Councilmember and a member of City staff (to be designated by the City Manager) in any non-public meetings between proposers and Council members, and should listen to but not make commitments to proposers in such meetings.

Proposal Form 2
PROPOSAL TRANSMITTAL LETTER
(Proposer to retype on company letterhead)

[Date]

City Council
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94806

Attention: Mr. Mark A. Bowers,
Solid Waste Program Manager

Honorable Council Members:

In response to the Request for Proposals ("RFP") dated _____ 2006, *[Insert Name of Proposer]* hereby proposes to operate the Sunnyvale Materials Recovery and Transfer Station (the "Station") in accordance with this Proposal, that includes each of the Proposal Forms and accompanying materials submitted with this Proposal.

The Proposer has thoroughly read and is familiar with the RFP, including all Appendices and Addenda, receipt of which is hereby acknowledged. The Proposer understands that the City of Sunnyvale (the "City") may reject any and all Proposals and take other action as described in the RFP.

This Proposal is firm and may not be withdrawn by the Proposer for a period of ninety (90) days from the date it is required by the RFP to be submitted to the City.

Proposal Form 2
PROPOSAL TRANSMITTAL LETTER
(Proposer to retype on company letterhead)

If this Proposal is accepted by the City, the Proposer will:

- 1: Within ten (10) calendar days after being notified by the City that the Proposal has been accepted, execute the Agreement for the Operation of the Sunnyvale Materials Recovery and Transfer Station (the Agreement), in the form attached as **Appendix C** to the RFP, modified by changes made through Addenda, and modified by exceptions, if any, submitted with this Proposal on **Proposal Form16**.

As stated in the RFP, the number and materiality of exceptions to the Agreement will be a factor considered in the selection of the Contractor.

- 2: Furnish the Performance Bond, in the form, amount and at the time specified in the Agreement.
- 3: Furnish evidence of insurance, in the form, amount and at the time required by the Agreement.

This Proposal is accompanied by a (certified check) (Proposal Security Bond) in the amount of \$100,000, as required by the RFP. The Proposer certifies that the information contained in this Proposal, including the Proposal Forms and accompanying materials submitted with it, is correct in all material respects.

The Proposer certifies the receipt of all the addenda to this RFP as indicated on the following page.

The person signing this Proposal on behalf of the Proposer is authorized to do so.

Sincerely,

[Name of Proposer]

By: _____

Name:

Title:

Note: The signature must be acknowledged before a Notary Public and the notarial seal attached.

Proposal Form 2
PROPOSAL TRANSMITTAL LETTER
(Proposer to retype on company letterhead)

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

Addendum Number

Proposer Initials

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Proposal Form 3
GENERAL PROPOSER INFORMATION, BACKGROUND, EXPERIENCE AND
REFERENCES

Company Name: _____

Address: _____

Telephone: _____

Type of entity (corporation, business trust, joint venture/ partnership, sole proprietorship, etc.):

Date of incorporation or formation: _____

Historical synopsis (including organizational and ownership structure):

Names of Company Officers:

- Chief Executive Officer: _____
- Chief Financial Officer: _____
- Chief Operating Officer: _____

Names of principal owners, general partners, or shareholders, if different from Officers:

Narrative description of firm's experience in mixed municipal solid waste handling/ transfer and materials recovery processing: **Please attach an operating plan for a similar facility previously operated or in operation.**

Proposal Form 3
GENERAL PROPOSER INFORMATION, BACKGROUND, EXPERIENCE AND
REFERENCES

Reference facility (location, capacity, technology, contract structure):

Number of years of Proposer operating experience in waste processing, transfer, and materials recovery:

Bank:

Company Name:

Contact Officer:

Address:

Telephone:

Business references (Provide complete reference account information for relevant business and project experience. Include customer or project names, locations, project or service description, duration, materials handled, principal contacts, etc.):

Proposal Form 4A
DETAILED PROJECT EXPERIENCE – MSW
PROCESSING OPERATIONS

Provide the following information for projects undertaken by the Proposer or subcontractor that will provide evidence to the City of experience in successful operation of MSW materials processing operations. Photocopy this form as necessary to provide information for projects performed in the past 10 years up to a maximum of five.

Note: Experience processing wet Municipal Solid Waste, mixed Construction Debris, and mixed dry waste (Dusty MRF) should be included in this section.

1. Client, client contact, address, and telephone number:

2. Name of project:

3. Dates during which services were provided and total fees received:

4. Type of Operation:

Dirty MRF

Dusty MRF

Construction Debris MRF

Other (specify):

5. Project Role:

Prime Contractor

Subcontractor

Other(s):

6. Was project bonded? If so, for what amount and by what surety? List the name, contact, address, and telephone number of surety:

Proposal Form 4A
DETAILED PROJECT EXPERIENCE – MSW
PROCESSING OPERATIONS

7. Provide a narrative description of the project, including the responsibilities of the provider and the client. State tons processed per day, and clearly specify recovery rates achieved for each type of operation.

8. Was the firm involved in any litigation or breach of contract during the project? If so, explain the circumstances surrounding the litigation or breach, the parties involved and how the issue was resolved:

Proposal Form 4B
DETAILED PROJECT EXPERIENCE – SOURCE SEPARATED RECYCLABLE
MATERIALS PROCESSING OPERATIONS

Provide the following information for projects undertaken by the Proposer or subcontractor that will provide evidence to the City of experience in successful operation of Source Separate Recyclable Materials processing operations. Photocopy this form as necessary to provide information for projects performed in the past 10 years up to a maximum of five.

1. Client, client contact, address, and telephone number:

2. Name of project:

3. Dates during which services were provided and total fees received:

4. Type of Operation:

Dual Stream (Fiber/Containers) MRF

Single Stream MRF

Other (specify):

5. Project Role:

Prime Contractor

Subcontractor

Other(s):

6. Was project bonded? If so, for what amount and by what surety? List the name, contact, address, and telephone number of surety:

Proposal Form 4B
DETAILED PROJECT EXPERIENCE – SOURCE SEPARATED RECYCLABLE
MATERIALS PROCESSING OPERATIONS

7. Provide a narrative description of the project, including the responsibilities of the provider and the client. State tons processed per day, and clearly specify recovery rates achieved for each type of operation.

8. Was the firm involved in any litigation or breach of contract during the project? If so, explain the circumstances surrounding the litigation or breach, the parties involved and how the issue was resolved:

Proposal Form 4C
DETAILED PROJECT EXPERIENCE – YARD TRIMMINGS AND WOOD WASTE
PROCESSING OPERATIONS

Provide the following information for projects undertaken by the Proposer or subcontractor that will provide evidence to the City of experience in successful operation of Yard Trimmings and wood waste processing operations. Photocopy this form as necessary to provide information for projects performed in the past 10 years up to a maximum of five.

1. Client, client contact, address, and telephone number:

2. Name of project:

3. Dates during which services were provided and total fees received:

4. Type of Operation:

Grinding/Processing

Composting

Other (specify):

5. Project Role:

Prime Contractor

Subcontractor

Other(s):

6. Was project bonded? If so, for what amount and by what surety? List the name, contact, address, and telephone number of surety:

Proposal Form 4C
DETAILED PROJECT EXPERIENCE – YARD TRIMMINGS AND WOOD WASTE
PROCESSING OPERATIONS

7. Provide a narrative description of the project, including the responsibilities of the provider and the client. State tons processed per day, and clearly specify recovery rates achieved for each type of operation.

8. Was the firm involved in any litigation or breach of contract during the project? If so, explain the circumstances surrounding the litigation or breach, the parties involved and how the issue was resolved:

Proposal Form 4D
DETAILED PROJECT EXPERIENCE – MATERIALS MARKETING

Provide the following information for projects undertaken by the Proposer or subcontractor that will provide evidence to the City of experience in the marketing of recyclable materials and processed yard trimmings. Photocopy this form as necessary to provide information for projects performed in the past 10 years up to a maximum of five.

Note: References should be provided for both recyclable materials marketing projects and processed wood/yard trimmings marketing projects.

1. Client, client contact, address, and telephone number:

2. Name of project:

3. Dates during which services were provided and total fees received:

4. Material(s) marketed:

Recyclable Materials (list)

Wood/Yard Trimmings

5. Project Role:

Prime Contractor

Subcontractor

Other(s):

6. Was project bonded? If so, for what amount and by what surety? List the name, contact, address, and telephone number of surety:

Proposal Form 4D
DETAILED PROJECT EXPERIENCE – MATERIALS MARKETING

7. Provide a narrative description of the project, including the responsibilities of the provider and the client:

8. Was the firm involved in any litigation or breach of contract during the project? If so, explain the circumstances surrounding the litigation or breach, the parties involved and how the issue was resolved:

Proposal Form 4E
DETAILED PROJECT EXPERIENCE - LONG-HAUL TRANSPORT

Provide the following information for projects undertaken by the Proposer or subcontractor that will provide evidence to the City of experience in the transport of solid waste for distances of more than 20 miles one-way using the same mode of transport proposed for this Project. Photocopy this form as necessary to provide information for projects performed in the past 10 years up to a maximum of five.

1. Client, client contact, address, and telephone number:

2. Name of project:

3. Dates during which services were provided and total fees received:

4. Material(s) transported:

Solid Waste

Hazardous Waste

Other(s):

5. Project Role:

Prime Contractor

Subcontractor

Other(s):

6. Was project bonded? If so, for what amount and by what surety? List the name, contact, address, and telephone number of surety:

Proposal Form 4E
DETAILED PROJECT EXPERIENCE - LONG-HAUL TRANSPORT

7. Provide a narrative description of the project, including the responsibilities of the provider and the client.

8. Was the firm involved in any litigation or breach of contract during the project? If so, explain the circumstances surrounding the litigation or breach, the parties involved and how the issue was resolved:

Proposal Form 5
STRUCTURE OF PROJECT TEAM

Attach to this form an organization chart for the proposed services team. Include the name of the firm and that firm's representatives responsible for each of the following elements of the project: Proposer's representative, project management (if different from Proposer's representative); SMaRT station operation, material recovery, refuse transfer and transport; safety; sale of recovered materials; community relations; financial management; and any other major responsibility areas deemed appropriate.

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Proposal Form 6
RESUMES

Attach to this form resumes of the key officers or principals of the Proposer, all subcontractors, and all persons associated with Project Team not included with the preceding organizational structure.

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Proposal Form 7
FINANCIAL STATEMENTS

Attach to this form the three most recent audited annual financial statements and reports for the Proposer and all subcontractors. If a Proposer or subcontractor has been in business for less than 3 years, state this fact and provide statements and reports as available.

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Proposal Form 8
LIST OF PERSONNEL AND SUBCONTRACTORS
(TO BE INCLUDED AS EXHIBIT I TO THE AGREEMENT)

Position

Administrative - Transfer

Number of Employees

Administrative - MRF

Number of Employees

Operating - Transfer

Number of Employee

Operating - MRF

Number of Employee

Proposal Form 8
LIST OF PERSONNEL AND SUBCONTRACTORS
(TO BE INCLUDED AS EXHIBIT I TO THE AGREEMENT)

Position

Maintenance - Transfer

Number of Employees

Maintenance - MRF

Number of Employees

Attach additional pages as necessary.

List all Sub-contractors to be used:

Positions

Name

Task

*Number of Employees
Provided by Subcontractor*

Proposal Form 9
PROPOSAL SECURITY BOND

AMOUNT: \$100,000.00

KNOW ALL MEN BY THESE PRESENTS, that _____

hereinafter called the PRINCIPAL, and _____

a corporation duly organized under the law of the State of having its principal place of business at _____

_____ in the State of _____, and authorized to do business as a surety in the State of California, hereinafter called the SURETY ' are held and firmly bound unto the CITY OF SUNNYVALE, hereinafter called the OBLIGEE, or order, in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly to these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, the PRINCIPAL has submitted to OBLIGEE its Proposal to operate the Sunnyvale Materials Recovery and Transfer Station, said Proposal dated _____ 2006, by reference thereto, being hereby made a part hereof.

NOW, THEREFORE, if said Proposal is rejected, or in the alternative, if said Proposal is accepted and the PRINCIPAL signs and delivers the Agreement for Operation of the Sunnyvale Materials Recovery and Transfer Station, and furnishes a Performance Bond and evidence of insurance, each in the form and within the time required by the Proposal and the Request for Proposals, then this obligation shall become null and void, otherwise the same shall remain in full force and effect, it being expressly understood and agreed that the liability of the SURETY for any and all default of the PRINCIPAL shall be the amount of this obligation as herein stated.

The SURETY, for value received, hereby agrees that the obligations of said SURETY and its bond shall not be impaired or affected by any extension of the time within which the OBLIGEE may accept such Proposal, and the SURETY hereby waives notice of any such extension.

Proposal Form 9
PROPOSAL SECURITY BOND

In the event suit is brought upon this bond by the OBLIGEE and judgment is rendered, the SURETY shall pay, in addition to the sum set forth above, all costs incurred by the OBLIGEE fixed by the Court.

Signed this _____ day of _____, 2006

PRINCIPAL

By: _____

SURETY

By: _____

Attorney-In-Fact

* * *

Note: Signature of person executing for SURETY must be notarized and evidence of corporate authority attached.